

DA



Renewed Petition under 37 CFR 1.137(b)

Mark R. Williams
682 S. 7th St.
San Jose CA 95112
re Application No. 09/652,387
Att. Dkt. No. 253/232

Attorney Alesia M. Brown
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

Dear Attorney Brown:

I am writing you to request reconsideration of my petition to revive my application, and ask you to please help me understand what is lacking in my resubmission.

Along with my patent attorney, I made efforts in 2003 to 2004 trying to clarify objections by the examiner to my application. After my attorney's firm went out of business, I took on the efforts by myself, and in June of 2004 I finally realized why the examiner had misunderstood my intent.

I had used the term "commercial messages", which the examiner had interpreted as data messages related to commerce, such as in a financial institution computer system. Instead, I had intended "advertising messages" such as TV or radio ad spots.

Starting from that point:

- I submitted a Reply clarifying the usage of terminology in my original application; which was received by the Patent Office 06-21-2004. Copy is attached and marked (A).
- The Office sent a reply on 07-23-2004, advising me that my amendments to "advertising message" have changed the scope of the claims that would require further consideration and search." Copy is attached and marked (B), with the relevant section highlighted.

- I therefore submitted a Request for Continued Examination, which was received by the Office on 09-14-2004. In it, I checked the Previously Submitted box, referring to the amendments in attachment (A).

I am not able to understand why the Reply referenced in the RCE did not count as a submission. Nonetheless, I am re-submitting the RCE form, and referencing the enclosed Reply as the submission.

I would appreciate it if you could call me once you have received and read this submission. My cell phone number is (408) 206-6910. If for some reason I do not answer, please leave me a message with a time when you will try again, and I assure you I will be waiting for your call.

Sincerely,



Mark R. Williams